



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gregory A. Demopoulos et al. Attorney Docket No.: CH.1.0018.US2
Application No.: 10/031,546 Group Art Unit: 1618
Filed: January 18, 2002 Examiner: Micah Paul Young
Title: SOLUTIONS AND METHODS FOR INHIBITION OF PAIN,
INFLAMMATION AND CARTILAGE DEGRADATION

RESPONSE

Seattle, Washington 98101

May 21, 2008

TO THE COMMISSIONER FOR PATENTS:

The following remarks are submitted in response to the Office Action mailed November 21, 2007. Applicants have submitted a request for extension of time, from February 21, 2008, until May 21, 2008, concurrently herewith along with the requisite fee.

Currently Claims 38-51, 53, 56-60 and 73-81 are pending, with Claims 40-43, 55-60, and 77-80 having been withdrawn and all other claims standing rejected. Reconsideration is respectfully requested.

Rejection under 35 USC § 103

Claims 38, 39, 44-51, 53, 73-76 and 81 stand rejected under 35 USC § 103 based on the hypothetical disclosure of US Patent 5,972,880 to Pelletier et al. and US Patent 5,206,023 to Hunziker. The Office Action states that Pelletier '880 discloses the intra-articular injection of a catabolic inhibitor, IL-1ra, and points to disclosure at column 4, lines 1-20 for teaching that IL-1 and growth factors have synergistic effect. The Office Action also relies on Hunziker '023 for the disclosure of administering growth factors to cartilage defects, and concludes that because